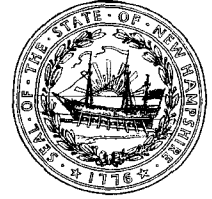




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

February 8, 2006

Mr. Chester Batchelder
Superintendent
New Hampshire Hospital
36 Clinton Street
Concord, New Hampshire 03301

CERTIFIED MAIL (7099 3400 0018 1290 6535)
RETURN-RECEIPT REQUESTED
LETTER OF DEFICIENCY
No. ARD 06-004
(Sta.S)

Dear Mr. ~~Batchelder~~ ^{chet}:

On January 6, 2006, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") conducted a compliance inspection at New Hampshire Hospital ("NH Hospital") at 36 Clinton Street in Concord, New Hampshire. The purpose of the inspection was to determine NH Hospital's compliance status with the N.H. Administrative Rules Env-A 100 *et seq.*, NH Rules Governing the Control of Air Pollution, and State Permit to Operate FP-S-0058 ("the Permit"), issued to NH Hospital on May 7, 2004.

As a result of the inspection and file review, this Letter of Deficiency ("LOD") is being sent to identify the following deficiencies:

1. RSA 125-C:11 and Env-A 603.01, *Permit Required*, requires the owner or operator of a source of air pollutants to obtain a temporary permit prior to the construction or installation of a source or device if that source or device is listed in Env-A 607.01, *Specific Applicability for Temporary Permits*. Env-A 607.01(d) requires a permit for one or more internal combustion engines that combust liquid fuel, for which the combined total design gross heat input is greater than or equal to 1.5 MMBtu/hr. NH Hospital currently has three emergency generators that together meet this criteria and which are covered by the Permit. At the time of the January 6, 2006 inspection, NH Hospital had partially installed a fourth emergency generator - a used, 207 horsepower Cummins generator - for which no application for a temporary permit has been submitted.
2. Env-A 1604.01, *Maximum Sulfur Content Allowable in Liquid Fuels*, and Condition III.D. of the Permit limit the sulfur content of diesel fuel used in the emergency generators to less than 0.4 % by weight. The delivery ticket for the diesel fuel delivered to NH Hospital on October 20, 2005 did not indicate the sulfur content, and NH Hospital did not test the fuel to determine its compliance with Env-A 1604.01 and the Permit.
3. Env-A 907, *General Reporting Requirements*, and Condition IX.A. of the Permit require the submission of an emission report each year by April 15. NH Hospital has not submitted emission reports for calendar years 2001 through 2004. NH Hospital submitted fuel usage information for calendar year 2003 and emissions were calculated by DES from this information. However, while DES can assist with the calculation of emissions, NH Hospital is responsible for submitting annual emission reports to DES.
4. Env-A 705, *Emission-Based Fee*, and Condition XI. of the Permit require NH Hospital to submit annual emission-based fees as calculated pursuant to Env-A 705.03. NH Hospital has not submitted emission-based fees for calendar years 2001 through 2004.

DES believes that the deficiencies can be resolved by NH Hospital taking the following actions:

1. By **March 13, 2006**, submit to DES an application for a temporary permit for the 207 horsepower Cummins generator.
2. By **March 13, 2006**, submit to DES emission reports for calendar years 2001 through 2004.
3. By **March 13, 2006**, calculate emission fees owed for calendar years 2001 through 2004 and submit to DES a schedule for paying those fees.

In the event compliance is not achieved within the time periods indicated, DES may initiate formal action against NH Hospital, including issuing an order requiring the deficiency to be corrected, and/or referring this matter to the NH Department of Justice for imposition of civil and/or criminal penalties.

Please address all information to Barbara Hoffman, at the following address:

NHDES Air Resources Division
Enforcement Section
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

Please be advised that DES will continue to monitor the compliance status of NH Hospital and that this letter does not provide relief against any other existing or future violations. It is important that NH Hospital be aware of all applicable regulations and the requirements of its Permit.

If you have questions regarding compliance with Env-A 100 et seq. or require further information, please contact Barbara Hoffman at (603) 271-7874, Air Resources Division, Compliance Bureau. In addition, please contact Sonny Strickland at (603) 271-6283, and he will provide a spreadsheet that will assist NH Hospital in preparing its emission reports and calculating fees. A current copy of the Air Resource Division rules can be obtained from the DES website at <http://www.des.nh.gov/rules/air.htm> or by contacting the Public Information Center at (603) 271-2975.

Sincerely,

Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/blh

Enclosures: ARD-1 Form
ARD-2 Form

cc: R. Kurowski, EPA Region 1
G. Hamel, DES Legal Unit Administrator
Duncan Ballantyne, Concord City Manager
AFS # 3301300006